pter 11
e# 25-70416-las
;

AMENDED NOTICE OF DEBTOR'S MOTION FOR AN ORDER: (A) REDUCING THE JUDGMENT LIEN HELD BY PLUMBERS LOCAL UNION No 200, and (B) MODIFYING PROOF OF CLAIM 12-1 FILED BY THIS CREDITOR TOGETHER WITH RELATED RELIEF

PLEASE TAKE NOTICE, that upon the Application dated May 1, 2025 (the "Application") of Robert P. Ruggiero Sr ("Debtor"), the Debtor and Debtor-in-Possession herein, a motion will be made before the Honorable Louis A. Scarcella, United States Bankruptcy Judge, in his courtroom at the United States Bankruptcy Court, 290 Federal Plaza, Room 970, Central Islip, New York 11722, on the 22nd day of May 2025, at 10:00 a.m. or as soon thereafter as counsel may be heard, for an order: pursuant to sections 105, 502 and 522(f) of the Bankruptcy Code and Rules 2002, 6004 and 9014 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rules"), (a) reducing the amount of the judgment lien held by creditor Plumbers Union Local No 200 that impairs the Debtor's homestead exemption to \$120,175.00, (b) modifying proof of claim #12-1, filed February 26, 2025 by this creditor, setting the secured claim held by this creditor at \$120,175.00 and reclassifying the balance of \$1,116,668.36 as a general unsecured; and © granting such other and further relief as may be just and proper.

PLEASE TAKE FURTHER NOTICE, that a copy of the complete Application is on file with the Bankruptcy Court at the address set forth below and may be reviewed during the Court's regular business hours or may be obtained by contacting Debtor's counsel, the Law

Office of Richard S. Feinsilver, Esq., One Old Country Road, Suite 347, Carle Place, New York

11514, telephone 516-873-6330, Attention: Richard S. Feinsilver, Esq., and requesting same.

PLEASE TAKE FURTHER NOTICE, that, the hearing SHALL be held in person

unless an appearance by other means is approved in advance by the Court. Those intending to

appear at the hearing must register to appear no later than two days prior to the hearing.

Instructions for registration can be found at https://ecf.nyeb.uscourts.gov/.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the Application must

be in writing, must conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of

this Court, and must be filed with the Bankruptcy Court electronically by registered users of the

Bankruptcy Court's Electronic Court Filing System and by all other parties in interest on a 3.5

disk, preferably in Portable Document Format ("PDF"), Microsoft Word or other Windows-

based word processing format with a copy to be served upon the Law Offices of Richard S.

Feinsilver, Esq., One Old Country Road, Suite 347, Carle Place, New York 11514, telephone

516-873-6330, Attention: Richard S. Feinsilver, Esq., attorney for the Debtor, and the Office of

the United States Trustee, 560 Federal Plaza, Central Islip New York 11722 Attn. Christine H

Black, Esq., so as to be received not later than 4:00 p.m. seven days prior to the hearing date.

PLEASE TAKE FURTHER NOTICE that the hearing on the motion may be adjourned

without notice other than an announcement in open Court.

Dated: Carle Place, New York

May 1, 2025

By

/s/ Richard S. Feinsilver

Richard S. Feinsilver, Esq.

Attorney for Debtor and Debtor in Possession

One Old Country Road, Suite 347

Carle Place, New York 11514

516-873-6330

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

ROBERT P. RUGGIERO SR

Chapter 11

Case No.: 25-70416-las

AFFIRMATION IN
SUPPORT OF MOTION TO
REDUCE JUDGMENT LIEN
AND SET AMOUNT OF ALLOWED
SECURED CLAIM

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RICHARD S. FEINSILVER, an attorney duly admitted to practice before this court, hereby affirms the following to be true subject to the penalties for perjury:

- 1. I am the attorney for ROBERT P. RUGGIERO SR ("Debtor"), the Debtor herein, and as such am fully familiar with the facts and circumstances of the instant case.
- 2. Debtor filed the instant Chapter 11 proceeding with this Court on January 31, 2025 and relief was ordered that same day.

REDUCTION OF JUDGMENT LIEN

3. The Debtor seeks to partially avoid a certain judicial lien that impairs the homestead exemption claimed by the Debtor against certain real property owned by the Debtor located at 11 Linden Street, Selden, New York 11784 in the County of Suffolk, State of New York (the "Property"). Judicial liens that impair the homestead exemption are voidable pursuant to 11 U.S.C. Section 522(f).

4. The following judgment has been entered against the Debtor (Exhibit A):

Richard Brooks as Administrator
Plumbers Local Union No 200 Court:Supreme - Suffolk
2121 Fifth Avenue Date Perfected:10/10/2024
Ronkonkoma NY 11779 Date Docketed: 10/10/2024
Amount: \$1,203,316.28 Index # 625134/2024

- 5. The above creditor was duly listed in the schedules of the Debtor's bankruptcy petition (Exhibit B).
- 6. The debtor is the owner of a 50% interest, as a tenant by the entirety with his spouse, Joan Ruggiero, of certain real property known as and by 11 Linden Street, Selden, New York. (Exhibit C). This property is the homestead of the debtor. A market analysis of the Debtor's residence as of April 29, 2025, indicates a market value of \$650,000.00 (Exhibit D).
- 7. As of the petition date, the Property does not have any encumbrances against it other than the subject judgment lien.
- 8. The debtor has claimed a homestead exemption of \$204,825.00 in the subject property (Exhibit E).
- 9. Based upon the liquidation analysis annexed hereto as Exhibit F, there is non-exempt equity in the amount of \$120,175.00 in the debtor's homestead for the subject liens to As such, the above judgment lien partially impairs the Debtor's available homestead exemption and should be reduced to \$120,175.00 pursuant to Section 522(f) of the Bankruptcy Code.

MODIFICATION OF PROOF OF CLAIM

10. In addition to the foregoing, on February 26, 2025, the creditor filed proof of claim 12 (Exhibit G), in which it has alleged that it holds a secured claim in the amount of \$650,000.00, not taking into account the manner in which title in the Property is held or the debtor's homestead exemption.

11. If the Court is in agreement with the debtor's analysis and grants the relief sought herein, secured portion of the proof of claim as stated on proof of claim # 12 must also be reduced to \$120,175.00 and the balance of \$1,116,668.36 be reclassified as a general unsecured claim.

WHEREFORE, it is respectfully requested that an Order be entered (a) reducing the judgment lien of that impairs the Debtor's homestead exemption to \$120,175.00, (b) modifying proof of claim #12-1, filed February 26, 2025 to set the secured claim held by this creditor at \$120,175.00 and reclassifying the balance of \$1,116,668.36 as a general unsecured debt; and © granting such other and further relief as this Court deems just and proper.

Dated: May 1, 2025

Carle Place, New York

s/Richard S. Feinsilver

Richard S. Feinsilver Attorney for Debtor One Old Country Road, S 347 Carle Place, New York 11514 516-873-6330

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF SUFFOLK

RICHARD BROOKS as ADMINISTRATOR of PLUMBERS LOCAL 200 WELFARE, PENSION, SUPPLEMENTAL VESTED ANNUITY, VACATION, APPRENTICESHIP TRAINING AND ADDITIONAL SECURITY BENEFIT FUNDS,

Plaintiffs,

Index No. 625134/2024

Address of Plaintiffs: c/o Archer, Byington, Glennon & Levine, LLP 534 Broadhollow Road, Suite 430 Melville, New York 11747

-against-

JUDGMENT BY CONFESSION

ROBERT RUGGIERO, SR.,

ENTERED: OCT 10 2024

Defendant.	7.18	pt pt
Amount Confessed	\$	1,011,229.02
Balance due upon default (August 16, 2024)		1,010,360.56
Interest from August 16, 2024, to Oct. 9, 2024, at 12%	\$	17,937.18
Liquidated Damages of 20% of principal as of August 16, 20	024.,\$	174,778.54
Costs by Statute	S	15.00
Transcript 240	.	
Fees on Execution COST TAXED AT \$	\$	15.00
Satisfaction TMEDMY OF		
Filing Fee. 0CT 10 2024	S	210.00
VINCENT PULEO CLERK OF SUFFOLK COUNTY	Sub-Total	\$1,203,316.28
Per Diem Interest (\$332.17 per day from Oct. 9, 2024)	S	
	Total	\$

STATE OF NEW YORK, COUNTY OF SUFFOLK

ATTORNEY'S AFFIRMATION

The undersigned, attorney at law of the State of New York, affirms that he is attorney of record for the plaintiffs herein and states that the disbursements above specified are correct and true and have been or will necessarily be made or incurred herein and are reasonable in amount and affirms this statement to be true under the penalties of perjury.

Dated: Melville, New York October 9, 2024

John H. Byington III
534 Broadhollow Road, Suite 430
Melville, New York 11747

JUDGMENT entered the

day of OCT 1 0 2024 , 20_.

On filing the foregoing affidavit of Confession of Judgment made by the defendant herein, sworn to the _____day of _______20__,

NOW, ON MOTION OF ARCHER, BYINGTON, GLENNON & LEVINE, LLP, attorneys for plaintiffs, it is ADJUDGED that the PLUMBERS LOCAL 200 WELFARE, PENSION, SUPPLEMENTAL

VESTED ANNUITY, VACATION, APPRENTICESHIP TRAINING AND ADDITIONAL SECURITY
BENEFIT FUNDS, plaintiffs, with principal offices 2121 Fifth Avenue, Ronkonkoma, New York 11779, do
recover of ROBERT RUGGIERO, SR., defendant, residing 11 Linden Street, Selden, New York 11784, the
sum of \$ \(\ 85, \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
ogether with's ZLO in costs and disbursements, amounting in all to the sum of
1,703,316-78 and that the plaintiffs have execution therefor
Ofulus
Clerk

EXHIBIT B

Debtor 1	Robert P Ruggiero, Sr		Case nur	mber <i>(if known)</i>		
			Unliquidated			
		3	Disputed			
			None of the above apply			
_	AND	Does	the creditor have a lien on you	r property?		
		4	No			
-	Contact		Yes. Total claim (secured and	d unsecured)		
-	Contact phone		Value of security: Unsecured claim			4
7	4444	What	is the nature of the claim?	Possible Cor Liability - Ber Payments		\$67,000.00
	PLUMBERS LOCAL 1 50-02 5TH STREET	As of	f the date you file, the claim is: Contingent	Check all that apply	1	
	2ND FLOOR LONG ISLAND CITY, NY 11101		Unliquidated Disputed			
			None of the above apply			
-		Does	the creditor have a lien on you	ur property?		
			No			
-	Contact		Yes. Total claim (secured and	d unsecured)		
-	Contact phone	-	Value of security: Unsecured claim			
18		What	t is the nature of the claim?	11 Linden St Selden, NY 1 Suffolk Cour	1784	\$1,082,316.38
	PLUMBERS LOCAL 200 C/O ARCHER BYINGTON	As o	f the date you file, the claim is: Contingent	Check all that appl	у	
	534 BROADHOLLOW ROAD S 430		Unliquidated			
	MELVILLE, NY 11717	. 🗖	Disputed			
	,		None of the above apply			
		Does	s the creditor have a lien on yo	ur property?		
			No			
	Contact	Š,	Yes. Total claim (secured an	d unsecured)	\$1,203,3	·····
			Value of security:		- \$650,00	
	Contact phone		Unsecured claim		\$1,082,	316.38
19		Wha	at is the nature of the claim?	Possible Co Liability - Bo Debt		\$58,820.00
	SEAFORD AVENUE CORP 25 BROOKLYN AVENUE MASSAPEQUA, NY 11758	As o	of the date you file, the claim is Contingent	: Check all that app	ily	
	••••••		Unliquidated			
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		Unliquidated Disputed			

EXHIBIT C

TO FOLLOW

EXHIBIT D

AC Appraisal International, LTD. (631) 893-0222

Main File No. Page # 2 of 16

R	ESIDE	NTIAL	. APP	RAISA	L REP	ORT						File No.:		
30	Property Addres	s: 11 Lin	den St				City: Sel	den				State: NY	Zip Code:	11784
	County: Suff	olk			Legal Descri	ption: Dist	rict 200, S	Section	519.0	O, Blo	ck 2.00, L	ot 45.000		
SUBJECT									sor's Par			1900020004	45000	
lā	Tax Year: 202	5 R.E	. Taxes: \$ 11	,964	Special Assessm	ents: \$ o		Borrov	ver (if ap	plicable)	N/A			
13	Current Owner	*****	ROBERT	& JOAN RU	JGGIERO		Оссира	nt: 🔀) Owner		Tenant	☐ Vacant	Man	ufactured Housing
	Project Type:	PUD	Condor	minium	Cooperative	Other (de					HOA:		per y	ear per month
***	Market Area Na		DEN					Referenc				Censu	us Tract: 15	85.13
	The purpose of					Value (as defi				value (di				
1	This report refle						nt (the Inspec					Retrosp		Prospective
ASSIGNMENT	Approaches dev				mparison Approa		ost Approach	2000		Approac	h (See R	econciliation Co	omments and	Scope of Work)
E	Property Rights		⊠ Fee Si⊓			Leased Fee		(describ						
<u>ত</u>	milended ose:	TO ADVISE	THE CLIE	NT AS TO T	HE MARKET	VALUE O	F THE SU	BJECT	PRO	PERTY	FOR BA	NKRUPTCY	PURPOS	ES.
SS	Intended User(s	\ /hu nama ar t	ma). D.C	S DUGGE	DO DIGITAL	30 0 FEI	1011 1/50	E00						
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	Built up:	Over 75		5-75%	Under 25%	Occupa		PRICE	int riou	AGE	One-Unit	95 %	⊠ Not Like	•
13	Growth rate:	Rapid	⊠s		Slow	⊠ Owner		\$(000)		(yrs)	2-4 Unit	%	Likely *	In Process *
፬	Property values:			-	Declining	Tenant	- 1	230	Low	0	Multi-Unit		* To:	
CRIPTION	Demand/supply:		•	Balance	Over Supply	☐ Vacant	(0-5%)	791	High	73	Comm'l	5%		
띥	Marketing time:	Under 3		-6 Mos.	Over 6 Mos.	⊠ Vacant	` ' }	663	Pred	55		%		
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Ξ	THERE IS A M	/EDIAN 0-5%	LIST TO SA	LE DIFFEREN	NTIAL, THIS D	ATA WAS O	BTAINED F	ROM G	EODAT	TA DIRE	CT, COMP	PS INC, PUBL	IC NEWSPA	PERS, LOCAL
	REALTORS A	ND LOCAL S	TATISTICS.		· · · · · · · · · · · · · · · · · · ·									
		····												
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	Are CC&Rs app		Yes 🔀 No		····· <u>····</u> ····	documents be	en reviewed	7	Yes	☐ No	Ground I	Rent (if applicab	ie) \$	0/ 0
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	Actual Use as o	Effortive Date	CINO	E EARINA	DECIDENTI	A.1	lico	as apprai	and in th	ie renert	01110	31 E EARAN 3	/ DECIDE	NITIAL
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ᅙ	Gas	\boxtimes			Curb/Gutter	CONCRE	TE				Shape	REC'	TANGULA	R
SIT	Water	\boxtimes				CONCRE			\square		Drainage	e APPI	EARS ADE	EQUATE
黻	Sanitary Sewer				Street Lights		SCENT		_ 🗵		View	RESI	DENTIAL	
186	Storm Sewer		Cesspool			NONE								
	Other site eleme	ES	side Lot	Corner Lot	Cul de Sac		round Utilitie			describe)	·	rrii	1 11 D-1-	
	FEMA Spec'i Flo Site Comments:			No FEMA		``	FEMA			C0685	~~~~~			09/25/2009
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	Type 🔀 Det.	******		Roof Surface			Basement	PAR		\rightarrow	eiling	WOOD BI	_	NONE
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S	Actual Age (Yrs,) <u>52</u>		Storm/Screens	YES/A	/G	Settlement	NON	IE	0	utside Entry	NONE	Other	NONE
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Main File No. Page # 3 of 16

RESIDENTIA						ile No.:	
My research 🔀 did 🛭		ales or transfers of the subje	ect property for the	three years prior to the effe	ctive date of this a	ppraisal.	
Data Source(s): Public		***************************************					
1st Prior Subject S	Sale/Transfer Anal	ysis of sale/transfer history :	and/or any current	agreement of sale/listing:	NO TRA	NSFERS WERE FO	UND FOR
Date:	THI	E SUBJECT WITHIN	3 YEARS PR	IOR TO THE EFFEC	TIVE DATE C	OF THIS APPRAISAL	
Price:							
Source(s): Public Reco	ords						
2nd Prior Subject S	Sale/Transfer						
Data Source(s): Public 1st Prior Subject S Date: Price: 2nd Prior Subject S Date: Price:							
Price:							
Source(s): Public Reco							
	PROACH TO VALUE (If de			n Approach was not develop			
FEATURE	SUBJECT	COMPARABLE S	ALE # 1	COMPARABLE S.	ALE # 2	COMPARABLE S	ALE # 3
Address 11 Linden St	t	12 Spruceton St		37 Cherry St		35 Linden St	
Selden, NY	11784	Selden, NY 11784		Selden, NY 11784		Selden, NY 11784	
Proximity to Subject		0.03 miles NW		0.11 miles NW	70.000	0.16 miles SW	
Sale Price	\$	\$	685,000	\$	679,800		680,000
Sale Price/GLA	\$ /sq.ft	\$ 269.26 /sq.ft.		\$ 253.47 /sq.ft.		\$ 262.35 /sq.ft.	
Data Source(s)	INTERIOR	MLS# L3568334		MLS# L3569885		MLS#L3528116	
Verification Source(s)	INSPECTION	ATTOMDATA		ATTOMDATA	•	ATTOMDATA	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjust.	DESCRIPTION	+(-) \$ Adjust.	DESCRIPTION	+(-) \$ Adjust.
Sales or Financing	0	0		0		0	
Concessions							
Date of Sale/Time	N/A	10/29/2024		11/01/2024		4/01/2024	
Rights Appraised	FEE SIMPLE	FEE SIMPLE	-	FEE SIMPLE		FEE SIMPLE	
Location	AVERAGE	AVERAGE		AVERAGE		AVERAGE	
Site	10,019 sf	9,148 sf	0	9,148 sf	0	10,454 sf	(
View	RESIDENTIAL	RESIDENTIAL		RESIDENTIAL		RESIDENTIAL	
Design (Style)	SPLIT LEVEL	COLONIAL		COLONIAL		SPLIT LEVEL	
Quality of Construction	FRAME	FRAME		FRAME		FRAME	
Age	57	53	0	53	0	55	
Condition	AVERAGE	AVERAGE		AVERAGE		AVERAGE	-15,000
Above Grade	Total Bdrms Baths	Total Bdrms Baths		Total Bdrms Baths		Total Bdrms Baths	ļ
Room Count	9 4 2.1	9 5 2.1	0		0		
Gross Living Area	2,537 sq.ft.		0	2,682 sq.ft.	-11,000		
Basement & Finished	PT BASEMENT	FULL BASEMENT		FULL BASEMENT		PT BASEMENT	1
Rooms Below Grade	UNFINISHED	FINISHED/BATH	-30,000	FINISHED	-20,000	UNFINISHED	
Functional Utility	ADEQUATE	ADEQUATE		ADEQUATE		ADEQUATE	-
Heating/Cooling	ADEQ/CAC	ADEQ/NO CAC	+15,000	ADEQ/NO CAC	+15,000	ADEQ/CAC	
Energy Efficient Items	NONE	NONE		NONE		NONE	
Garage/Carport	1 CAR GARAGE	1C GAR/2C DW	-5,000	1C GAR/2C DW	-5,000	2C GAR/2C DW	-15,000
Porch/Patio/Deck	DECK, PORCH	PATIO, PORCH	.5.000	PATIO, PORCH		DECK, PORCH	
Extras Extras	FIREPLACE NONE	NONE	+5,000		₹5,000	FIREPLACE	
Garage/Carport Porch/Patio/Deck Extras Extras Extras Days on the Market Net Adjustment (Total) Adjusted Sale Price of Comparables Summary of Sales Compar	NONE	NONE NONE		NONE NONE		NONE NONE	
Days on the Market	N/A	12		12		7	
Net Adjustment (Total)			-35,000	□ + ⋈ - \$	-36,000	□ + ⋈ - \$	-30,000
Adjusted Sale Price							
of Comparables		\$	650,000	\$	643,800	\$	650,000
Summary of Sales Compari	ison Approach <u>DIL</u> I	GENT RESEARCH OF T	THE SUBJECT'S	MARKET AREA WAS C	ONDUCTED, R	ESEARCH INDICATED	
COMPARABLES SALES	S 1-4 AS THE MOST LO	CAL, RECENT, SIMILAR	AND OVERALL	VERY BEST AVAILABLE	IN SUPPORT O	OF THE SUBJECTS FIN	AL VALUE
	S WERE ADJUSTED FOR						
AND CONDITION ADJU	ISTMENTS WERE APPL	IED ACORDINGLY WHE	N NECESSARY	COMPARABLE SALE #	3 HAS AN UPD	ATED KITCHEN AND W	AS
ADJUSTED ACCORDIN	IGLY FOR THIS. GLA A	DJUSTMENTS WERE AF	PPLIED AT \$75 F	PER SF. EXTRA CAR D	RIVEWAY WAS	ADJUSTED AT \$5,000	
ADJUSTMENTS WERE	EXTRAPOLATED FROM	THE MARKET AND AR	E BASED ON TH	HE ACTIONS OF TYPICA	AL AREA HOME	BUYERS, THEIR AWAR	ENESS
AND WILLINGNESS TO	PAY. NO SUPERIOR A	LTERNATIVE SALES W	ERE FOUND. A	LL SALES WERE AFFO	RDED EQUAL E	MPHASIS	w.e

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<u> </u>		**************************************					
Ladicated Value by 0.1	os Comparison Approac	h			····		

Main File No. Page # 4 of 16

Selden, NY 11784   Selden, NY	FEATURE	SUBJECT	<del> </del>	ARABLE S	ALL# 4	COM	IPARABLE S	ALE # 5	COMI	PARABLE SA	ALL# 6
Selden, NY 11784	Address 11 Linden St		24 Linden S	it							
Tracimity to Subject			1						1		
Sale Price   Sale Sale Sale   Sale Sale Sale Sale Sale Sale Sale Sale		36003251654 S.C.20041030									
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Total   Bdrms   Baths   Bath	ocation	AVERAGE	AVERAGE								
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Mality of Construction   FRAME				<u> </u>					<b></b>		
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comms Below Grade         UNFINISHED         FINISHED         -20,000           unctional Utility         ADEQUATE         ADEQUATE           pating/Cooling         ADEQ/CAC         ADEQ/NO CAC         +15,000           nergy Efficient Items         NONE         NONE           nergy Efficient Items         NONE         NONE           none         -15,000         -15,000           orch/Patio/Deck         DECK, PORCH         PATIO, PORCH           dras         FIREPLACE         NONE         +5,000           dras         NONE         NONE           dras         NONE         NONE           ays on the Market         N/A         28           et Adjustment (Total)           +   -   \$           djusted Sale Price           -55,000           +   -   \$           I Comparables           703,000           \$							sq.ft.			sq.ft.	
Doms Below Grade		PT BASEMENT	FULL BASE	MENT	-20,000				1		
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Arage/Carport				AU .	+15,000	l		<del> </del>	ļ		
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dras         FIREPLACE         NONE         +5,000           dras         NONE         NONE           dras         NONE         NONE           ays on the Market         N/A         28           et Adjustment (Total)         □ + □ - \$ -55,000 □ + □ - \$ □ + □ - \$           djusted Sale Price (Comparables)         \$ 703,000 \$ \$		1 CAR GARAGE	2C GAR/2C	DW	-15,000						
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djusted Sale Price   \$ 703,000   \$ \$	et Adjustment (Total)		☐ + D	☑ -  \$	-55,000	□+	□ -  s		<b>l</b>	□ -  \$	
Comparables \$ 703,000 \$ \$											
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Main File No. Page # 5 of 16

R	RESIDENTIAL APPRAISAL REPORT		File	No.:	
355535	COST APPROACH TO VALUE (if developed)	oped for this appraisal.			
388	Provide adequate information for replication of the following cost figures and calculations.				
	Support for the opinion of site value (summary of comparable land sales or other methods for esting the NOT PERFORMED AS THIS APPROACH TO VALUE IS NOT PARAMO	• ,		APPROACH WAS CO	
	VALUE FOR THE SUBJECT, ESTIMATING DEPRECIATION IS SUBJECT!				NANNEI
	DEVELOPMENT ARE SCARCE.				
	FOTHERTO DEPRODUCTION OF THE PERIOD OF THE P	Tonium of our inter			
Ę	ESTIMATED REPRODUCTION OR REPLACEMENT COST NEW  Source of cost data:	OPINION OF SITE VALUE _ DWELLING	20 422	=\$ =\$	
COST APPROACH	Quality rating from cost service; Effective date of cost data:	DAACETHAG	Sq.Ft. @ \$ Sq.Ft. @ \$	=\$	
ığ	Comments on Cost Approach (gross living area calculations, depreciation, etc.):		Sq.Ft. @ \$	=\$	
A	THE COST APPROACH WAS CONSIDERED BUT NOT PERFORMED AS		Sq.Ft. @ \$	=\$	
ST	THIS APPROACH TO VALUE IS NOT PARAMOUNT OR ESSENTIAL IN		Sq.Ft. @ \$	=\$	
ဒြ	THE PROCESS OF ESTIMATING A VALUE FOR THE SUBJECT.			=\$	
	ESTIMATING DEPRECIATION IS SUBJECTIVE AND SIMILAR VACANT	Garage/Carport	Sq.Ft. @ \$	=\$	
	LAND SALES SUITABLE FOR DEVELOPMENT ARE SCARCE.	Total Estimate of Cost-New Less Physical	Functional	External =\$	
		Depreciation	i uncuonai	=\$(	1
	Parties and the state of the st	Depreciated Cost of Improv	ements	=\$	
		"As-is" Value of Site Impro	vernents	=\$	
				=\$	
				=\$	
100	BICOME ADDROACH TO VALUE (4 deceler 4)	INDICATED VALUE BY COS	T APPROACH	=\$	
INCOME APPROACH	Estimated Monthly Market Rent \$ X Gross Rent Multiplier	= \$		Indicated Value by In	rome Anninach
ĝ	Summary of Income Approach (including support for market rent and GRM):	<u> </u>		andicated value by in	come Approach
ä			***************************************	······································	
EA					
S					
2					
100	PROJECT INFORMATION FOR PUDs (if applicable)  The Subject is part of a Plant	ned Linit Development	<del></del>	<del></del>	
	Legal Name of Project:	nice of the Bertolephrone			
8	Describe common elements and recreational facilities:				
PUD					
1000					
200	Indicated Value by: Sales Comparison Approach \$ 650,000 Cost Approach (if	developed) \$	Income Apor	oach (if developed) \$	N/A
	Final Reconciliation MOST WEIGHT PLACES ON SALES COMPARISON ANA	······································	<del></del>		
	BUYERS & SELLERS. COST APPROACH NOT PERFORMED: ESTIMATIN				
<b>海</b>	SALES SUITABLE FOR DEVELOPMENT. INCOME APPROACH NOT PERI				
Z	FOR INCOME POTENTIAL; THE SUBJECT IS OWNER OCCUPIED. THIS A	APPRAISAL CONFORI	MS TO USPAP.		
RECONCILIATION	This appraisal is made 🔀 "as is", 🔲 subject to completion per plans and specifications	ations on the basis of a	Hypothetical Conditi	on that the improvemen	te hava haan
Ħ	completed, subject to the following repairs or alterations on the basis of a Hypoti	hetical Condition that the n	epairs or atterations	have been completed, [	subject to
Š	the following required inspection based on the Extraordinary Assumption that the condition	on or deficiency does not	require alteration or	repair: APPRAISAL	IS FOR
ដ្ឋ	VALUATION PURPOSES ONLY: NOT INTENDED FOR ANY OTHER USE. V	VALUE IS NOT CONTIL	NGENT UPON A	REQUESTED	
8	MINIMUM/MAXIMUM, SPECIFIC VALUE OR FEE ARRANGEMENT. APPRI	AISER WAS HIRED AS	AN INDEPENDE	NT AND NEUTRAL F	PARTY.
		defined Scope of Wor	k. Statement of A	ssumntions and Limitin	a Conditions
	and Appraiser's Certifications, my (our) Opinion of the Market Value (or other sp	ecified value type), as d	efined herein, of t	he real property that i	is the subject
	of this report is: \$ 650,000 , as of: If Indicated above, this Opinion of Value is subject to Hypothetical Conditions and	4/29/2025	, which is notions included in	the effective date of t	his appraisal.
S	A true and complete copy of this report contains 16 pages, including exhibits whi		·		
ATTACHMENTS	properly understood without reference to the information contained in the complete rep		• · · · · · · · · · · · · · · · · · · ·	<b></b>	
¥	Attached Exhibits:				
AC	Scope of Work  Limiting Cond./Certifications  Narrative Add	presing .	tograph Addenda	Sketch Adden	
Ļ	✓ Map Addenda       ✓ Additional Sales       ☐ Cost Addend         ☐ Hypothetical Conditions       ☐ Extraordinary Assumptions       ☐	lum 📙 Floo	d Addendum	Manuf, House	Addendum
188	Hypothetical Conditions   Extraordinary Assumptions   Client Contact:   BOB RUGGIERO   Client	Name: BOB RUGG	IERO		
		SAME AS ABOVE	iLito		
	APPRAISER	SUPERVISORY APPRA	AISER (if require	d)	
		or CO-APPRAISER (If	applicable)		
161899					
	Toute Colle				
RE	Willes ( For En				
2	1	Supervisory or Co-Appraiser Name:			
SIGNATURES		Company;			
š	Phone: (631) 893-0222 Fax: (631) 940-0915 P	Phone:	Fa	ix:	
		E-Mail:			
		Date of Report (Signature):	<u> </u>		
		License or Certification #: Designation:		Si	ate:
		Expiration Date of License or (	Certification:		
	Inspection of Subject: Interior & Exterior Exterior Only None II	nspection of Subject:	Interior & Exterior	Exterior Only	None
	Date of Inspection: 4/20/2025	Tate of Inspection:			

Main File No. Page # 15 of 16

00 00 00 00 00 00 00 00 00 00 00 00 00	State of New York Department of State	Control No. 1537406
	DIVISION OF LICENSING SERVICES TO THE PROVISIONS OF ARTICLE &E OF TH LAW AS IT RELATES TO R.E. APPRAISERS	
	CORDARD ANTHONY S C/D AC APPRAISAL INTERNATIONAL 1000 DEER PARK AVE NORTH BABYLON, NY 11703	EXPIRATION DATE MO.   DAY   YR. 09   26   25
HAS BEEN DUI R. E. GENERAL	LY CERTIFIED TO TRANSACT BUSINESS AS : APPRAISER	
205 Tips (Per Set)		os Whored, The Department of Belle has caused a seed to be hereavily affect  OBERT J. RODRIGUE!  CRETARY OF STATE

Main File No. Page # 16 of 16

### **E&O** Insurance



### DECLARATIONS

REAL ESTATE PROFESSIONAL ERRORS & OMISSIONS INSURANCE POLICY

## THIS IS A CLAIMS MADE INSURANCE POLICY.

THIS POLICY APPLIES ONLY TO THOSE CLAIMS THAT ARE FIRST STADE AGAINST AN INSERTO DURING THE POCICY PERIOD OR ANY EXTENDED REPORTING PERIOD. THE POLICY PROVIDES NO COVERAGE FOR CLAIMS ARISING OUT OF ACTS OR OMISSIONS IN THE PERFORMANCE OF REAL ESTATE PROFESSIONAL SERVICES WHICH TOOK PLACE PRIOR TO THE RETROACTIVE

CONTRAGE UNDER THE POLICY CEASES UPON TERMINATION OF THE PORICY, EXCEPT FOR AUTOMATIC EXTENDED REPORTING PERIOD COVERAGE, UNLESS THE NAMED INSTRUCT PURCHASIS OPTIONAL EXTENDED REPORTING COVERAGE. THE POLICY PROVIDES FOR AUTOMATIC EXTENDED BEPORTING PERIOD COVERAGE OF 60 DAVE, OPTIONAL EXTENDED REPORTING PERIOD COVERAGE OF 1, 2 OR 3 YEARS AND OTHER EXTENDED REPORTING PERIODS MAY BE AVAILABLE FOR AN UNLIMITED DERATION OF TIME AFTER THE TERMINATION OF THE POLICY. IF THERE IS NO UNLIMITED EXTENDED REPORTING PERIOD. POTENTIAL COVERAGE GAPS MAY ARISE AT THE EXPIRATION OF ANY APPLICABLE EXPENDED REPORTING PERIOD.

DURING THE FRIST SEVERAL YEARS OF THE CLAIMS MADE RELATIONSHIP, CLAIMS-MADE RATES ARE COMPARATIVELY LOWER THAN OCCURRENCE RATES AND THE NAMED INSURED MAY EXPECT SUBSTANTIAL ANNUAL PREMIUM INCREASES, INDEPENDENT OF THE OVERALL RATE LEVEL INCREASES, UNTIL THE CLADIS-MADE RELATIONSHIP REACHES MATURITY.

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Note: The invariance Company admitted above shall become be refuged to as the Company

Peters Secretary KAILARS TOBAL 25

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1000 Dave Pash A cemis

Life, Share, Zim Cooke South Balls Son, NY 11791.

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EXHIBIT E

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	this information to identify your case:				
Debto	- tobotti itaggicio, oi				
Debto		Middle Name	ı	.ast Name	
(Spouse	e if, filing) First Name	Middle Name	ī	ast Name	
United	d States Bankruptcy Court for the: EAST	ERN DISTRICT OF N	EW Y	ORK	
Case (if know	number /m)				☐ Check if this is an amended filing
⊃tt:	oial Form 1060				ul -
	cial Form 106C				
5CI	hedule C: The Prope	rty You Cla	ım	as Exempt	4/22
he pro needed	complete and accurate as possible. If two moperty you listed on <i>Schedule A/B: Property</i> d, fill out and attach to this page as many coumber (if known).	(Official Form 106A/B)	as yo	our source, list the property that you	claim as exempt. If more space is
pecif iny ap unds- exemp	ich item of property you claim as exempt fic dollar amount as exempt. Alternatively oplicable statutory limit. Some exemption—may be unlimited in dollar amount. How otion to a particular dollar amount and thapplicable statutory amount.	y, you may claim the f is—such as those for wever, if you claim an	ull fa heal exer	ir market value of the property be th aids, rights to receive certain b nption of 100% of fair market valu	ing exempted up to the amount of enefits, and tax-exempt retirement e under a law that limits the
Part 1	Identify the Property You Claim as E	xempt			
1. W	hich set of exemptions are you claiming	? Check one only, ever	n if yo	our spouse is filing with you.	
*	You are claiming state and federal nonban	kruptcy exemptions.	I1 U.S	S.C. § 522(b)(3)	
	You are claiming federal exemptions. 11 l				
2. Fo	or any property you list on Schedule A/B	that you claim as exe	mpt,	fill in the information below.	
	rief description of the property and line on chedule A/B that lists this property	Current value of the portion you own		ount of the exemption you claim	Specific laws that allow exemption
		Copy the value from Schedule A/B	Che	eck only one box for each exemption.	
	1 Linden Street Selden, NY 11784	\$650,000.00	*	\$204,825.00	NYCPLR § 5206
	uffolk County ine from Schedule A/B: 1.1			100% of fair market value, up to any applicable statutory limit	
	000 Cadillac GTI 150000 miles	\$7,500.00		\$5,500.00	NYCPLR § 5205(a)(8)
LI	me irom scriedule AVB. 3.1			100% of fair market value, up to any applicable statutory limit	
	lisc Furniture and Small Appliances	\$5,000.00		\$5,000.00	NYCPLR § 5205(a)(5)
Li	me nom <i>schedule 2</i> 75. <b>0.1</b>			100% of fair market value, up to any applicable statutory limit	
	Flothing ine from Schedule A/B: 11.1	\$750.00		\$750.00	NYCPLR § 5205(a)(5)
LI	ine nom ochequie AVD. 11.1			100% of fair market value, up to any applicable statutory limit	
	Vatch and Other Personal Property	\$1,500.00	Ŕ	\$1,500.00	NYCPLR § 5205(a)(6)

100% of fair market value, up to any applicable statutory limit

**EXHIBIT F** 

# LIQUIDATION ANALYSIS

MARKET VALUE	\$650,000.00
DEBTOR'S SHARE OF EQUITY NON-FILING SPOUSE'S SHARE OF EQUITY	\$325,000.00 \$325,000.00
HOMESTEAD EXEMPTION CLAIMED BY THE DEBTOR	\$204,825.00
NON-EXEMPT EOUITY	\$120,175.00

EXHIBIT G

Fill in this in	formation to identify the case:
Debtor 1	ROBERT P. RUGGIERO, SR
Debtor 2 (Spouse, if filing)	
United States E	Bankruptcy Court for the: Eastern District of New York
Case number	25-70416-LAS

# Official Form 410

# **Proof of Claim**

12/24

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both, 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

	Enach Identify the (	Claim					
1.	Who is the current creditor?	Vacation Fur		raining Fund and Ad	n Fund, Supplemental V ditional Security Benef latm)	7t Errord	nd,
		Other names th	a creditor used with the de	btor	entrophytikation (1900 to 495 St. 1904 f.). Elleviside (1904 old		manusco ne de comunicación de la defendación de de la defendación del defendación de la defendación del defendación del defendación de la defendación del defendación del defendación del defendación del defendación del defendación del defendación
2.	Has this claim been acquired from someone else?	<b>D</b> 'No					
∢3.	Where should notices and payments to the creditor be sent?	Where shoul	d notices to the credite		Where should payme different)	nts to the creditor b	e sent? (if
	Federal Rule of	Archer, Byington, Glennon & Levine, LLP			Plumbers Local U	nion No. 200 Rec	eipts Account
	Bankruptcy Procedure (FRBP) 2002(g)	Name 534 Broadhollow Road, Suite 430			Name 2121 Fifth Avenue		
			Street		Number Street		
		Melville	NY	11747	Ronkonkoma	The appropriate form the party and the party of the party	11779
		City	State	ZIP Code	City	State	ZIP Code
		Contact phone 631-249-6565			Contact phone 631-739-0020		
		Contact email	jbyington@abgll	aw.com	Contect email jbyingto	on@abgllaw.com	1
		Uniform claim id	lentifier (if you use one):				
4.	Does this claim amend one already filed?	□YNo □ Yes. Clair	m number on court clain	ns registry (if known)		Filed on MM / DO	/ <del>YYYY</del>
5.	Do you know if апуоле else has filed a proof of claim for this claim?	No Yes. Who	o made the earlier filing?	Particular de modernation de la constitución de la	n tha thaile de the sea of the se		

Official Form 410

	i. Do you have any number	on About the Claim as of the Date the Case Was Filed
•	you use to identify the debtor?	Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor:
7	How much is the claim?	\$1,236,843.38 . Does this amount include interest or other charges?
		Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8.	What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
		Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
i		Limit disclosing Information that is entitled to privacy, such as health care information.
		Judgment for unpaid employee fringe benefit contributions and wage deductions
19.	is all or part of the claim	□ No
	secured?	Yes. The claim is secured by a llen on property.
		Nature of property:
		Real estate. If the claim is secured by the debtor's principal residence, file a Mortgage Proof of Claim
		Attachment (Official Form 410-A) with this Proof of Claim.  Motor vehicle Other. Describe:
		Basis for perfection:  Judgment entered in the Supreme Court, Suffolk County  Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
		Value of property: \$ 650,000.00
		Amount of the claim that is secured: \$ 650,000,00
		Amount of the claim that is unsecured: \$ 586,843.38 (The sum of the secured and unsecured amounts should match the amount in line 7.)
		Amount necessary to cure any default as of the date of the petition: \$ 1,236,843.38
		Annual Interest Rate (when case was filed) 9.00 %  Fixed  Variable
10.	Is this claim based on a lease?	<b>□</b> /No
		Yes. Amount necessary to cure any default as of the date of the petition.
11.	Is this claim subject to a	
	right of setoff?	
		Yes, Identify the property:

Official Form 410

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?  A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	Yes. Check  Domesi 11 U.S.  Up to \$ persona  Wages, bankrup 11 U.S.  Taxes o	tic support obligations (including C. § 507(a)(1)(A) or (a)(1)(B). 3,350° of deposits toward purchal, family, or household use. 11 salaries, or commissions (up to toty petition is filed or the debtor C. § 507(a)(4).  In penalties owed to government utions to an employee benefit place of the subject to adjustment on 4/01/25.	ase, lease, or rental of pus.C. § 507(a)(7). \$15,150*) earned within some sends, which all units. 11 U.S.C. § 507(a)(§ 507(a)(	oroperty or services to n 180 days before th hever is earlier. 7(a)(8). 5).	\$\$ \$\$ \$\$
Part 3: Sign Below					
The person completing this proof of claim must sign and date it. FRBP 9011(b).  If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.  A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.  18 U.S.C. §§ 152, 157, and 3571.	I am the trus I am a guara I understand that amount of the cla I have examined and correct. I declare under po		rized agent. Bankruptor codebtor. Bankruptor F Proof of Claim serves a credit for any payment Claim and have a reason	Rule 3005. as an acknowledgme is received toward th	ne debt.
	Print the name o	f the person who is completin  Dolores	g and signing this cla	lm: Blake	
	Nama	First name	Middle name	Last name	оминальная подпаване в поста по та по поста пос
	Title Company	Administrator  Plumbers Local Union N  Identify the corporate servicer as the	ti ilan para ilang ang ang ang ang ang ang ang ang ang		The control of t
	Address	2121 Fifth Avenue  Number Street  Ronkonkoma	* - An inches and restrict the second	NY 11779	The second secon
	Contact phone	City 631-739-0020		tate ZIP Code mail <u>ibying</u>	ton@abgllaw.com

# ATTACHMENT TO PROOF OF CLAIM <u>Itemization for account</u>

Principal (judgment entered October 10, 2024)	\$1,203,316.28
Interest (N.Y. CPLR §5004; 9% to January 31, 2025)	\$33,527.10
Fees	\$0.00
Expenses	\$0.00
Other Charges	\$0.00
Total	\$1,236,843.38

# Official from Adda

# Mortgage Proof of Claim Attachment

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See separate instructions. (12/15)

Part 1: Mortgage and Case Information	Case Information	Part 2: Total Debt Calculation	tion	Part 3: Arrearage as of Date of the Pelition		Part 4: Monthly Mortgage Payment	gage Pay
Case number:	25-70416-LAS	Principal balance:	\$1,203,316.28	Principal & interest due:	\$1,236,843.38	Principal & interest: N/A	NA
Debtor 1:	Robert P. Ruggiero, Sr.	Interest due:	\$33,527.10	Prepalition fees due:	NA	Monthly escrow	NIA
Debtor 2:		Fees, costs due:	N/A	Escrow deficiency for funds advanced:	N/A	tø.	N/A
Last 4 digits to identify: 9279	9279	Escrow deficiency for funds advanced:	NA	Projected escrow shortage:	N/A	Total monthly payment:	
Creditor:	PLU Fringe Benefit Funds	Less total funds on hand: - N/A	NA	Less funds on hand:	NA  And service settle done of the first technique de service settle de service sett		er bet dette je de 1 bet 1964 de 1860 en 1960 en 1960 en 1960 de de de 1860 en 1960 en 1960 en 1960 en 1960 en
Servicer	N/A	Total debt:	\$1,236,843,38	Total prepetition arrearage:	\$1,236,843.38	not a common and	
Fixed accrual/daily simple interest/other:	\$296.70 per day	4	greyeligates by the between 400-till first 100-told med a moneyer of		da de la 19 ⁴ de Problem (piphalligible Mudipera ampia amea paat in pen		

# Part 5: Loan Payment History from First Date of Default

payment amount	Date Contractual Funds Amount	D	
received	Funds	ဂ္	Account Activity
received incurred	Amount	Ģ	Activity
	1 Description Contractual Prin, int &	iu	
due date	Contractual	<b>,711</b>	
esc past due to balance princ	Prin, int &	ဂ့	
to principal	Amount	x	How Fu
to to principal interest	Amount	-	nds Were
to	Amount Amount Amount	ţ,	Applied/An
, d ,	Amount	×	How Funds Were Applied/Amount Incurred
funds balance interest balance balance	Unapplied	ŗ	pe
balance	Principal	R.	Balance
interest balance	Account	Z.	After Amo
balance	1	O.	unt Receiv
Charges funds balance balance	W WOOD /	.TO	Balance After Amount Received or Incurred
funds balance	Inapplied	Ö	шed

•
Chapter 11 Case # 24-70416-las
Cube # 21 70110 las

The undersigned attorney, duly admitted to practice before this Court, affirms the following to be true under the penalties of perjury:

That he is the attorney for the debtor in the instant case.

That on the 5th day of May 2025, your affiant served a true copy of the Amended Notice of Motion and Supporting Documents in this action upon:

Office of the United States Trustee, Attn Christine Black Esq., 560 Federal Plaza, Central Islip NY 11722

Plumbers Local Union No 200, 2121 Fifth Avenue Ronkonkoma NY 11779 Archer Byington Glennon, 534 Broadhollow Road, saite 430, Melville NY 11747

the address(es) designated by said attorney and party for that purpose by depositing a true copy of same to each attorney and party, enclosed in a post paid properly addressed wrapper, in an official depository, VIA FIRST CLASS MAIL, under the exclusive care and custody of the United States Postal Service within the State of New York.

Dated: May 5, 2025

Carle Place, New York

s/Richard S. Feinsilver RICHARD S. FEINSILVER